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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,971	11/30/2000	Craig L. Reding	Bell - 20	1717
32127	7590	05/06/2004	EXAMINER	
VERIZON CORPORATE SERVICES GROUP INC. C/O CHRISTIAN R. ANDERSEN 600 HIDDEN RIDGE DRIVE MAILCODE HQEO3H14 IRVING, TX 75038			BRANT, DMITRY	
			ART UNIT	PAPER NUMBER
			2655	
DATE MAILED: 05/06/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/726,971

Applicant(s)

REDING ET AL.

Examiner

Dmitry Brant

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 2/12/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 8,9,23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8,9,23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments regarding claims 8, 9, and 23 have been fully considered and found persuasive. Claims 8, 9 and 23 are still not allowable in view of the following rejections. However, as a result of new grounds for claim rejections, this action is made Non-Final.

### ***Claim Objections***

2. Claim 8 is objected to because of the following informalities:

the text in lines 13-14 appears to be mangled due to a faulty fax transmission.

The examiner interpreted lines 13-14 to recite: "corresponding to said speech data can be contacted." Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 23 (line 15) recites the limitation "when the first device fails." There is insufficient antecedent basis for this limitation in the claim. It is not clear whether the "first device" refers to "speech processing facility" or the "telephony device". The examiner interpreted "first device" as referring to the "telephony device" from the preceding sentence.

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Thus, the ambiguous sentence was read as "initiating a telephone call by dialing the received telephone number, wherein when the telephony device fails to recognize any words in the first vocabulary in said received speech, the first device further performs the steps of..."

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lim et al (6,574,599).

Lim does not disclose receiving speech data over the Internet.

However, Lim discloses receiving speech data through Public Telephone Network (elem. 129, FIG. 1) and connecting to the system over the Internet (elem. 102, FIG. 1)

The examiner takes an official notice that it is well-known in the art that telephone connections can be established through either data or telephone networks by either conventional telephones or computers acting as telephones (IP telephony). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lim et al. to send speech data to the system over the Internet (see FIG.

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1) in order to take advantage of the more convenient and versatile interface of the computer system or to establish a telephone connection when a regular phone was not available.

Lim further discloses:

- Performing speech recognition operation using the received speech data (Col. 12, lines 43-50)
- Performing a phone call based on the results of speech recognition, including initiating a call using a telephone number associated with a name recognized by speech recognition operation (Col. 14, lines 20-25 and lines 35-40)

Lim et al. do not disclose initiating an additional telephone call to a telephone where the human being who was the source of speech corresponding to speech data can be contacted and further bridging said telephone call and said additional telephone call.

However, Lim et al. discloses that a person can make a call to multiple destinations using the syntax such as: "CALL A and B and C and ... ", where A, B, C.. are the desired destinations. (Col. 15, lines 3-9 and lines 14-19)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lim et al. to dial the destination number and user's call-back number at the same time in order to establish the telephone call between the destinations using the voice commands. For example, according to Lim et al., a user's voice command can contain a desired destination (A) and an additional

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phone number (B), which is his own call-back number. Thus, the user could say: "Call 'John' AND 'Office'", where "Office" was the pre-recorded tag for the user's office number. As a result, the telephony server would call John and user's call-back number at the same time, creating a connection between John and Office. At that point, the user could pick up his office phone and begin conversing with John. It would have been further obvious to one of ordinary skill in the art that if the call to telephony server was initiated using the computer interface (elem. 100, FIG. 1), the user would not have to continue using his computer as a designated telephone interface and, as a result, the telephone connection would in fact exist only between "John" and "Office".

As per claim 9, Lim et al. disclose that a person can make a call to multiple destinations using the syntax such as: "CALL A and 'telephone #'", where 'telephone #' is the specified destination number. (Col. 15, lines 3-9 and Col. 13, lines 50-51).

As explained in rejection for claim 1, this syntax would allow the user to explicitly specify his call-back number.

7. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Urs et al. (3,363,349) in view of Gisby et al. (6,259,786)

Urs et al. discloses :

<p>A method of operating a speech processing facility coupled to the Internet, the method comprising the steps of:</p> <p><u>receiving speech data</u> transmitted over the Internet;</p>	<p>distributed speech processing unit is able to <u>receive speech processing data</u> from the communication unit</p>
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<p>performing a <u>speech recognition</u> operation using the received speech data; and</p> <p><u>performing an action</u> based on the results of the speech recognition operation performed using the received speech information.</p> <p>wherein the telephony device is coupled to the <u>Internet and a telephone line</u></p> <p>wherein the telephony device is <u>controlled to perform a dialing operation</u> as a function of recognized speech.</p> <p><u>receiving a telephone number</u> from said remote speech processing facility; and</p> <p>initiating a telephone call by <u>dialing the received telephone number</u>.</p>	<p>via the <u>data path</u> (Col. 4, lines 50-52)</p> <p>data that the distributed <u>speech processing unit</u> further processes for the purpose of <u>performing voice recognition</u>. (Col. 6, lines 27-30)</p> <p>the distributed speech processing unit ... <u>interprets the request and retrieves unit corresponding information</u>. (Col. 7, lines 54-57)</p> <p>The communication service requested provides <u>both a voice connection and a data connection</u> for use by the communication unit. (Column 7, lines 33-35).</p> <p>Communication service related requests such as a <u>request to call a given number, a request to call a given person, a request to establish a call forwarding number, a request to put a call on hold, a request to retrieve a call, a request to transfer a call, and a request to invoke a three-way conference call</u> may be included in the voice command (Column 8, lines 4-10)</p> <p>Since communication unit receives sufficient information for the speech processing unit to call a given person (Column 8, line 6), it is inherent to the operation of communication unit that <u>it will also receive the telephone number</u> of a person it is trying to call. Also, communication unit has an inherent ability to <u>dial</u></p>
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	<u>telephone numbers</u> , because it has a voice connection.  (Column 7, lines 33-35),
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Urs et al. do not disclose a communication unit capable of "transmitting to the remote speech processing facility a contact telephone number corresponding to a telephone at which a human being who was the source of the received speech can be contacted" when it "fails to recognize any words in the first vocabulary in said received speech."

Gisby et al. teach asking the user for a call-back number if the user has to be taken off-line from the system (Col. 7, lines 51-58)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Urs et al. as taught by Gisby et al. in order to allow the system to get back to the user after performing off-line speech processing remotely when local processing fails, because on-line processing at the remote system is not immediately available (for example, the server has many speech-processing requests and the queue is long) or the user needs to be contacted at a different number. Therefore, the motivation in Gisby et al. is substantially similar to the one proposed by this application - the system (either completely automated or human driven) will record user's number so it can get back to him later at a location where the user expects to be at the time of a callback.



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***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Miner et al. (5,652,789) teach a network-based call assistant that can connect multiple calls

Thelen et al. (6,487,534) teach distributed client-server speech recognition system that can be used for voice dialing.

Doshi et al. (6,144,667) teach a method of initiating a call between two phones using web interface.

Ehlinger (6,693,893) teaches a method for establishing calls using internet interface.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Brant whose telephone number is (703) 305-8954. The examiner can normally be reached on Mon. - Fri. (8:30am - 5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Ivars Smits can be reached on (703) 306-3011. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Tech Center 2600 receptionist whose telephone number is (703) 305- 4700.

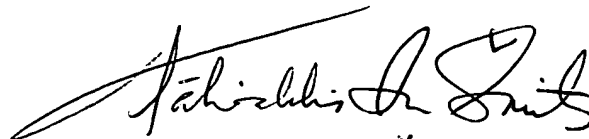
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A handwritten signature in black ink, appearing to read 'Tālivaldis Ivars Šmits', with a long, sweeping horizontal stroke extending to the left.

TĀLIVALDIS IVARS ŠMITS  
PRIMARY EXAMINER